



Entered on Docket
May 19, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

RICK A YARNALL
Chapter 13 Bankruptcy Trustee
Marianne Gatti, Esq.
Nevada Bar No. 007717
701 Bridger Ave., Ste 820
Las Vegas, NV 89101
(702) 853-4500
RAY13mail@lasvegas13.com

Electronically Filed on 5/19/10

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

BK-S-09-29223-BAM
Chapter 13

RICHARD ALVAREZ, and
MARILYN ALVAREZ,

**ORDER DENYING CONFIRMATION OF
DEBTORS' MODIFIED PLAN #3**

Debtor(s).

Hearing Date: April 29, 2010
Hearing Time: 1:30 P.M.

Confirmation of Debtors' Modified Plan #3 having come on for hearing in the above-entitled Court on April 29, 2010, at 1:30 p.m., with Marianne Gatti, Esq. appearing on behalf of Rick A. Yarnall, other appearances as noted on record, argument having been heard, and based upon the papers and pleadings on file herein, and good cause appearing:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Confirmation of Debtor's Modified Plan #3 is DENIED.

1 IT IS SO ORDERED.

2
3 Submitted by:

4 M. Gatti
5 Marianne Gatti, Esq.
6 Nevada Bar No. 7717
7 Attorney for Rick A. Yarnall,
8 Chapter 13 Bankruptcy Trustee

Date: 5-12-10

9 Approved

10 Randolph Goldberg, Esq.
11 Counsel for Debtor(s)

Date: _____

12 In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

13 ☐ The court has waived the requirement of approval under LR 9021.

14 ☒ This is a chapter 7 or 13 case, and ~~either with the motion, or at the hearing,~~ I have delivered a
15 copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who
16 appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as
indicated below [list each party and whether the party has approved, disapproved, or failed to respond
to the document]:

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each
19 has approved or disapproved the order, or failed to respond, as indicated below [list each party and
whether the party has approved, disapproved, or failed to respond to the document]:

20 ☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
21 written objections.

22 Randolph Goldberg, Esq. approved _____ disapproved _____ failed to respond X

CERTIFICATE OF NOTICEDistrict/off: 0978-2
Case: 09-29223User: johnsonrs
Form ID: pdf964Page 1 of 1
Total Noticed: 21

Date Rcvd: May 19, 2010

The following entities were noticed by first class mail on May 21, 2010.

db/jdb +RICHARD ALVAREZ, MARILYN ALVAREZ, 11096 PENTLAND DOWNS ST, LAS VEGAS, NV 89141-4360
 aty +PATTI BASS, 3936 E FT LOWELL RD #200, TUCSON, AZ 85712-1083
 cr +PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
 5349907 +AMERICA'S SERVICING COMPANY AS SERVICER FOR, ONE HOME CAMPUS, MAC ID#X2302-04C,
 DES MOINES, IA 50328-0001
 5309889 +AMERICAS SERVICING COMPANY, Acct No xxxxxx1475, PO BOX 10388, Des Moines, IA 50306-0388
 5309890 CAPITAL ONE BANK, Acct No xxxx xxxx xxxx 8592, PO BOX 30285, Salt Lake City, UT 84130-0285
 5309891 +CAPTIAL ONE, Acct No xxxx xxxx xxxx 9041, PO BOX 30285, Salt Lake City, UT 84130-0285
 5309892 CHASE (WASHINGTON MUTUAL), Acct No xxxx xxxx xxxx 9033, PO BOX 15298,
 Wilmington, DE 19850-5298
 5420630 +CHASE BANK USA, N.A., c/o Creditors Bankruptcy Service, P O Box 740933, Dallas, Tx 75374-0933
 5309893 +CLARK COUNTY TREASURER, 500 S GRAND CENTRAL PKWY, P.O. BOX 551220, Las Vegas, NV 89155-1220
 5309894 +CLARK COUNTY TREASURES OFFICE, Acct No 7524, SOUTHERN HIGHLANDS DISTRICT #121,
 SPECIAL ASSESSMENT BILLING, FILE 57254, Los Angeles, CA 90074-0001
 5309895 +CLARK COUNTY WATER RECALMATION DISTRICT, 5857 E FLAMINGO RD, Las Vegas, NV 89122-5507
 5699098 Chase Bank USA NA, PO Box 15145, Wilmington, DE 19850-5145
 5309897 +HEALTH PLAN OF NEVADA, Acct No xxxxxxxx61-00, P.O. BOX 15645, Las Vegas, NV 89114-5645
 5394589 +HSBC BANK NEVADA, N.A., BASS & ASSOCIATES, P.C., 3936 E. FT. LOWELL RD, SUITE 200,
 TUCSON, AZ 85712-1083
 5309898 +HSBC RETAIL SERVICES, Acct No xxxx xxxx xxxx 1828, PO BOX 60107,
 City Of Industry, CA 91716-0107
 5309900 +REPUBLIC SERVICES, 770 E. SAHARA AVE., PO BOX 98508, Las Vegas, NV 89193-8508

The following entities were noticed by electronic transmission on May 19, 2010.

cr +E-mail/PDF: rmscedi@recoverycorp.com May 20 2010 02:12:27
 RECOVERY MANAGEMENT SYSTEMS CORPORATION, 25 S.E. SECOND AVENUE,
 INGRAHAM BUILDING, SUITE 1120, MIAMI, FL 33131-1506
 5309896 E-mail/PDF: gecsed@recoverycorp.com May 20 2010 02:12:27 DILLARDS,
 Acct No xxxx xxxx xxxx 2269, PO BOX 981469, El Paso, TX 79998-1469
 5309899 E-mail/PDF: cr-bankruptcy@kohls.com May 20 2010 02:11:39 KOHLS, Acct No xxx-xxx6 922,
 PO BOX 3043, Milwaukee, WI 53201-3043
 5340498 E-mail/PDF: rmscedi@recoverycorp.com May 20 2010 02:12:27
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605

TOTAL: 4

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr HSBC BANK USA
 cr* +HSBC BANK NEVADA, N.A., BASS & ASSOCIATES, P.C., 3936 E. FT. LOWELL RD., SUITE 200,
 TUCSON, AZ 85712-1083

TOTALS: 1, * 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 21, 2010

Signature:

